

CHAPTER 20

HOME OCCUPATIONS

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14-20-101 PURPOSE

The purpose of the Home Occupation Provision is to permit certain income producing uses in residential districts which are compatible with the neighborhood in which they are located. Home Occupations are limited to those uses which may be conducted within a residential dwelling without, in any way, changing the appearance, character, or condition of the residence.

14-20-102 LICENSE REQUIRED - CONDITIONS

A Home Occupation License shall be required for all property in residential zones used for income producing purposes. A Home Occupation must meet the following criteria to qualify for a Home Occupation License:

- A. It is clearly incidental and secondary to the use of the dwelling purposes and does not change the appearance, character or condition thereof. There will be no displays, advertisements, stock in trade, or signs related to the business except those required by State Law and which meet the provisions of Chapter 18 of this Ordinance.
- B. It shall be conducted entirely within a dwelling and carried on by persons who are residents of the dwelling unit. No person shall be employed as part of the home occupation except members of the family related by blood, marriage, or adoption, and who are residing in the dwelling at the time of such employment. One additional person may be employed as a secretary, computer operator, apprentice, or helper where there are no more than five family members actively engaged in the home occupation.
- C. It shall not involve more than one room in the dwelling and cannot exceed twenty percent (20%) of the ground floor area.
- D. It shall not involve the attached garage or carport section of the dwelling nor any accessory building or yard space or activity outside of the main building.
- E. It shall not involve the sale of commodities on the premises. Commodities may be produced on the premises and sold through other business outlets not on the premises.

- F. It shall not create noise, dust, odors, noxious fumes, glare or other nuisances, including interruption of radio and/or television reception, which are discernable beyond the premises.
- G. It shall not create a hazard by using or storing flammable material or explosives or other dangerous materials.
- H. It does not involve the use of mechanical or electrical apparatus, equipment or tools not commonly associated with a residential use or as are customary to home crafts.
- I. It shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood nor involve the use of commercial vehicles other than standard delivery vehicles for delivery of materials to or from the premises.
- J. It shall not involve the use or parking of equipment or motor vehicles having a gross weight of twelve thousand (12,000) pounds or more directly at the residence.
- K. It shall be in complete compliance with all fire, building, plumbing, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.
- L. The residence may be inspected from time to time to determine continued compliance with the provisions of this Ordinance and other applicable codes.
- M. Only one (1) Home Occupation Business License per dwelling shall be allowed.

14-20-103 SPECIAL CONDITIONS FOR RESIDENTIAL DAY CARE OR GROUP INSTRUCTION

The following conditions shall apply only to Home Occupation Licenses for Residential Day Care or Group Instruction:

- A. The rear yard may be used for outside play area, or instruction where a swimming pool is involved.
- B. Residential day care facilities shall comply with all regulations of the State of Utah and shall be licensed by the State. One additional person not residing in the dwelling may be employed in the residential day care or group instruction where seven (7) or more children or people are involved.
- C. Residential group instruction (preschools) shall be limited to no more than twelve (12) people in each session who are not residents of the home. There shall be no more than two (2) session per day and each session may not exceed four (4) hours. No child or person may attend more than one session per day. Instruction of at least seven (7) or more people requires issuance of a Conditional Use Permit by the Planning Commission.

- D. A minimum interior floor area of thirty-five (35) square feet and a minimum secured outdoor play area of forty (40) square feet per child shall be provided for residential day care facilities.
- E. Total floor area used for residential day care or group instruction may be no more than twenty-five percent (25%) of the ground floor area of the residence.
- F. An annual inspection for continued compliance will be required for license renewal of all residential day care and group instruction facilities.

14-20-104 APPLICATION FOR LICENSE

Application for a Home Occupation License shall be made with the Planning Department. The Planning Director shall review the application and may approve the license or forward it to the Planning Commission for review and approval. All applications for Residential Day Care or Group Instruction facilities with more than seven (7) people shall first make application for and receive a Conditional Use Permit from the Planning Commission before applying for a Home Occupation License.

14-20-105 PROHIBITED USES

The following uses, by their nature, involve operations not suited to a residential area and have a pronounced tendency to grow rapidly beyond the limits for a home occupation and thereby impair the use and value of a residentially zoned area. Therefore, the uses specified below shall not be permitted as home occupations:

- A. Auto, truck or motorcycle repair at the residence.
- B. Furniture or cabinet making.
- C. Major appliance repair (washers, dryers, refrigerators, etc.)
- D. Small engine and lawn mower repair.
- E. Auto body or fender work.
- F. Trailer or boat repair.
- G. Photo developing and processing beyond a hobby darkroom.
- H. Sexually oriented businesses.¹

¹Amended 3/23/04 Ordinance No. 2004-03

14-20-106 CONDITIONAL USES²

Home occupations in the following areas of work are conditional uses, and licenses may be issued for them only if a conditional use permit is granted following notice and a public hearing: lawn care / landscaping, construction / contracting, and snow removal.

²Amended 3/23/04 Ordinance No. 2004-03

